

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
May 23rd, 2018
Summary Agenda- Minutes

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

7:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD

A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.

1. Roll Call.

Present: Mr. D. Perez, Mr. Cabrera, Mr. O. Perez, Mr. Suarez, Mr. Casanova, Mr. Sanchez

Absent: Mr. Tundidor

2. Approval of Planning and Zoning Board Summary Agenda of May 9th, 2018 as submitted.

Motion to Approve: Mr. Cabrera; Second: Mr. Casanova

Motion Approved: 6-0-1

Item Approved

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, JUNE 12TH, 2018.

3. **Rezoning** from R-1 (One-Family District) to R-3-5 (Multiple-Family District) and variance permit to allow street side setback of 12.4 feet, where 15 feet is the minimum required; allow interior south side setback of 7.4 feet, where 10 feet is the minimum required; allow lot coverage of 32.14%, where 30% is the maximum allowed; allow pervious area of 22.5%, where 30% is the minimum required, and allow 37 parking spaces, where 39 parking spaces are required. Property located at 4597 and 4599 Palm Avenue, Hialeah, zoned R-1 (One-Family District).

Applicant: Manny Reus on behalf of Roberto Gonzalez Revocable Trust

Planner's recommendation: Approval with conditions

Motion to Approve: Mr. O. Perez; Second: Mr. Cabrera

Motion Approved: 6-0-1

Item Approved

4. **Rezoning** property 421 East 7th Street from R-1 (One- and Two- Family Residential District) to R-3-5 (Multiple-Family District) and Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District overlay for the construction of a new 35-unit multifamily residential building; variance permit to allow only residential uses, where a vertical mix of uses is required; allow all units to have floor area of less than 850 square feet, where only 10% of the units may have floor area of less than 850 square feet, allow front setback of 5 feet, where 10 feet are required; allow east and north side setbacks of 10 feet, where 15 feet are required; allow 16.8% pervious area, where 30% is the minimum required and allow 40 parking spaces, where 49 are required. Property located at 701 East 4th Avenue and 421 East 7th Street, Hialeah, zoned B-1 (Highly Restricted Retail District) and R-1 (One-Family District).

Applicant: Alejandro Vilarello, P.A. on behalf of Babcock Apartments, LLC

Planner's recommendation: Approval subject to a submittal of a parking management plan and development schedule as proffered by applicant

Motion to Approve with Conditions: Mr. Suarez; Second: Mr. Casanova

Motion Approved: 6-0-1

Item Approved with Conditions

5. **Variance** permit to allow the replatting of lot 8 into two substandard lots; proposed Lot 1 with frontage of approximately 60 feet, depth of 73.27 feet and area of 4, 396 square feet and proposed Lot 2 with frontage of 65 feet, depth of 60 feet and area of 3,900 square feet, where frontage of 75 feet, depth of 100 feet and area of 7,500 square feet is the minimum required; proffering that proposed Lot 2 will be permanently consolidated with Lot 10. Property located at 22 West 42nd Street, Hialeah, zoned RO (Residential Office).

Applicant: Ceasar Mestre, Esq. on behalf of Roberto Correa

Planner's recommendation: Approval

Motion to Approve: Mr. Cabrera & Mr. O. Perez; Second: Mr. Suarez

Motion Approved: 6-0-1

Item Approved

6. **Conditional Use Permit (CUP)** to allow a new elementary school as an expansion of an existing day care center, with a maximum total number of 1,000 students; variance permit to allow 62 parking spaces, where 150 parking spaces are required; and variance permit to allow a new LED pylon sign fronting West 28th Avenue, outside the geographic area where pylon signs are allowed to be located (Sec 7-12 (b)); and allow height of 45 feet

and area of 1,200 square feet , where 20 feet is the maximum height allowed and 120 square feet is the maximum area allowed. Property located at 8101, 8155 West 28th Avenue and 2750 West 82nd Street, Hialeah, zoned M-1 (Industrial District).

Applicant: Ceasar Mestre, Esq. on behalf of David De La Sierra

Planner's recommendation: Deny or withdraw LED sign request and table CUP for reconsideration

Motion to Table: Mr. Cabrera; Second: Mr. Casanova

Motion Approved: 6-0-1

Item Tabled

7. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District overlay for the construction of a new 212-unit multifamily residential development; variance permit to allow front setback of 3.4 feet, where 10 feet are required for the balconies encroaching into the front setback of proposed Building 11; allow 330 parking spaces, where 494 parking spaces are required; and allow 26.5% pervious area, where 30% is the minimum required. Property located at 7755 West 4th Avenue, Hialeah, zoned M-1 (Industrial District).

Applicant: Javier L. Vazquez, Esq. on behalf of Hialeah 7.65, LLC

Planner's recommendation: Approval subject to submittal of a parking management plan and development schedule as proffered by applicant

Motion to Approve with Conditions: Mr. Suarez; Second: Mr. Sanchez & Mr. Cabrera

Motion Approved: 6-0-1

Item Approved with Conditions

8. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District overlay for the construction of a new 28-unit multifamily residential building; variance permit to allow such expansion on a site with an area of 18,649 square feet, where 20,000 square feet is the minimum site area required, allow all units to have less than 850 square feet, where only 10% of the units may have less than 850 square feet, and allow 30 parking spaces, where 67 parking spaces are required. Property located at 497 and 499 West 23rd Street, Hialeah, zoned C-2 (Liberal Retail Commercial District).

Applicant: Alejandro J. Arias, Esq. on behalf of Sun Holdings, Inc.

Planner's recommendation: Approval subject to submittal of a parking management plan and development schedule as proffered by applicant

Motion to Approve with Conditions: Mr. Cabrera; Second: Mr. O. Perez

Motion Approved: 6-0-1

Item Approved with Conditions

9. **ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V ENTITLED "ZONING DISTRICT REGULATIONS", DIVISION 1 ENTITLED "GENERALLY", SECTION 98-415 "CERTIFICATE OF RE-OCUPANCY", OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Planner's recommendation: Approval

Motion to Approve: Mr. Suarez; Second: Mr. Cabrera
Motion Approved: 6-0-1

Item Approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

10. Old Business. None

11. New Business. None

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.

If you decide to appeal any decision made by the board, with respect to any matter considered at the meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.